

REMARKS

Claims 1-35 are pending. The Examiner requires restriction to and/or election of one of the following:

- Group I: comprising of claims 1-3 and 6-10, drawn to a composition comprising a non-peptide analgesic (e.g. opioids, opiates, opiate derivatives);
- Group II: comprising of claims 1-5 and 9-10, drawn to a composition comprising a peptide analgesic (e.g. enkephalins, endorphins and synthetic opioids peptides);
- Group III: comprising of claims 11-13 and 16-35, drawn to an antinociceptive treatment comprising the administration of a composition comprising a non-peptide analgesic; and
- Group IV: comprising of claims 11-35, drawn to an antinociceptive treatment comprising the administration of a composition comprising a peptide analgesic.

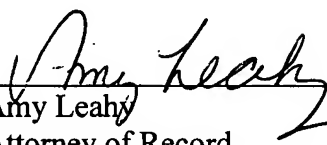
Applicants elect Group III, with traverse. Applicants further elect morphine as a single disclosed species of analgesic and butamben as a single disclosed species of local anesthetic. Support for the species election of morphine can be found in claim 13, as well as throughout the specification. Support for the amendment to claim 21 and the species election of butamben can be found on page 8 line 30 of the specification.

Rejoinder of Group I with Group III is respectfully requested. Searching the additional inventions of Group I must constitute an undue burden on the examiner for restriction to be permissible. MPEP § 803 The MPEP directs the Examiner to search and examine an entire application “[i]f the search and examination of an entire application can be made without serious burden, ... even though it includes claims to distinct or independent inventions.” *Id.* It is respectfully submitted that it would not place an unnecessary burden on the Examiner to search and examine Groups I and III together, as a search for the Group III methods would inevitably encompass the Group I compositions.

In view of the foregoing, the Group I and III claims of the present application represent a web of knowledge and continuity of effort that merits examination in a single application. Accordingly, reconsideration and withdrawal of the Restriction Requirement is respectfully requested, and an early action on the merits is earnestly solicited.

Respectfully submitted,

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